

# Mao Declaration in Opposition to Google's Motion for Summary Judgment

## Ex. 3 Document Sought to Be Sealed

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHASOM BROWN, WILLIAM BYATT,  
JEREMY DAVIS, CHRISTOPHER  
CASTILLO, and MONIQUE  
TRUJILLO, individually and on  
behalf of all other similarly  
situated,

Plaintiffs,

vs.

No.

5:20-cv-03664-LHK-SVK

GOOGLE LLC,

Defendant.

\_\_\_\_\_ /

VIDEOTAPED DEPOSITION OF CHASOM BROWN  
Remote Zoom Proceedings  
Los Angeles, California  
Thursday, January 13, 2022

REPORTED BY:

LESLIE ROCKWOOD ROSAS, RPR, CSR 3462

Pages 1 - 208

Job No. 5028094

Page 1

1 not click this link?

2 A. How Google -- a link that -- so you're asking me  
3 did I click a link from the Redfin privacy policy to get  
4 to this particular page? I don't recall if I did that.

5 Q. Okay. Thank you. 11:04:25

6 If you had clicked on this, wouldn't you have  
7 known that Google would be receiving certain information  
8 from you while you were browsing on Redfin?

9 MR. LEE: Objection to form, lack of foundation,  
10 calls for speculation, improper hypothetical. 11:04:40

11 THE WITNESS: So if -- well, yeah, if I was in  
12 normal Google browsing, sure. But if I was in Incognito,  
13 then I would know that they don't.

14 THE REPORTER: Excuse me. "If I was in  
15 Incognito, then I would know"? 11:04:56

16 THE WITNESS: That they don't.

17 THE REPORTER: Thank you.

18 Q. BY MS. JENKINS: Does this page suggest --  
19 suggest to you that Google will not receive data from the  
20 Redfin website if users are in Incognito mode? 11:05:19

21 MR. LEE: Objection. Lack of foundation, the  
22 document speaks for itself.

23 You can answer.

24 THE WITNESS: No, Google does. Google says that  
25 it will not collect that information. So I trust Google 11:05:34

1 at its word that -- that it won't, especially --  
2 especially using its own product and services.  
3 So if -- like if you're saying that they --  
4 Redfin uses Google products and that they might send  
5 information back to Google, well, then, yeah, I should be 11:06:00  
6 cool because Google has already told me that, hey, we  
7 won't collect that when I'm in Incognito mode.

8 Q. BY MS. JENKINS: Can you take a look at page 2  
9 of this Exhibit 2, please.

10 A. Page 2. 11:06:27

11 Q. And take a look under the heading that says:  
12 "How you can control the information collected by Google  
13 on these sites and apps," and underneath that are a  
14 number of bullets. Can you read aloud the first bullet  
15 starting "Ad Settings." 11:06:51

16 A. "Ad settings help you control ads you see on  
17 Google services (such as Google Search or YouTube) or on  
18 non-Google websites and apps that use Google ad services.  
19 You can also learn how to -- how ads are personalized,  
20 opt out of ad personalization, and block specific 11:07:09  
21 advertisers."

22 Q. Have you attempted to change your ad settings?

23 A. Are you asking about on Redfin or on -- in -- in  
24 general like -- or -- or within Google; is that what  
25 you're asking? 11:07:27

1 current understanding.

2 Q. And when you say it gives the veneer of not  
3 collecting data, what do you mean by that?

4 A. It positions itself and says that we don't  
5 collect your data, and you have -- you have the choice, 11:15:12  
6 and you have to give consent. And then it goes and  
7 pretty much collects a bunch of your data, apparently.

8 And in some cases, it's actually even worse than  
9 regular browsing because at least in regular browsing, I  
10 can go in and I can -- I can delete my history, and I can 11:15:38  
11 delete the information that you have about me.

12 But in Incognito mode, apparently, I cannot. So  
13 it -- it feels like a worse monster than -- than what I  
14 thought it was prior to this.

15 Q. When you say that you can delete certain things 11:16:01  
16 if you're not using Incognito mode, what are you  
17 referring to? How would you go about deleting things?

18 A. Well, we talked about different things that you  
19 can delete going into -- I don't remember what the link  
20 was or the My Account or things like that. But 11:16:21  
21 apparently, you can go in there, and I recall deleting  
22 things.

23 Even in just normal, like if you go -- I'm  
24 sorry, I just forget what that link's called and what it  
25 goes to. But you can go to your account, and you can 11:16:40

1 actually. That's how I view it.

2 Q. Do you think that Google should disclose what  
3 information it might be receiving in its privacy policy?

4 MR. LEE: In Incognito mode or not Incognito  
5 mode, Sara? 12:27:35

6 MS. JENKINS: Either way. The question was  
7 general.

8 Q. Do you believe Google should disclose what  
9 information it may be receiving in its privacy policy?

10 A. I believe that Google, in their privacy policy, 12:27:47  
11 should explain clearly what they're collecting in  
12 Incognito mode and not in Incognito mode. And I would  
13 expect they don't say things like, in their privacy  
14 policy, you can also choose to browse the web privately  
15 using Chrome in Incognito mode. 12:28:11

16 Q. Prior to being involved in this lawsuit, did you  
17 see any articles or blog posts that suggested that  
18 Incognito mode might not have been private in the way  
19 that you expected it to be?

20 A. No. 12:28:35

21 Q. I know you already -- you already testified you  
22 used the Chrome browser to surf the web. Can you tell me  
23 your understanding of what Chrome is?

24 A. Chrome is the -- the browser from Google.

25 Q. You understand Chrome and Google are not the 12:29:05

1 same thing; right?

2 MR. LEE: Objection to form.

3 THE WITNESS: No, I understand Chrome to be

4 Google. Are you -- are you saying they're not Google?

5 Q. BY MS. JENKINS: I -- I thought that you 12:29:24

6 testified that Chrome was a browser.

7 A. Yeah, Chrome -- Chrome is a browser which is a

8 product of Google.

9 Q. What browser?

10 A. Sorry, Sara. 12:29:42

11 Q. All right. Go ahead.

12 MR. LEE: If there's more, Mr. Brown, you should

13 finish your answer. No one's trying to cut you off.

14 THE WITNESS: No, I'm fine with that answer.

15 Sorry about that. 12:29:54

16 Q. BY MS. JENKINS: What browser were you using  
17 before you started using Chrome?

18 A. Internet Explorer.

19 Q. Why did you switch to Chrome?

20 A. I was allured. I was enchanted by like all 12:30:07

21 the -- the services Google had, and it was -- it seemed

22 to play nicer with a lot of different things. And over

23 time, Internet Explorer just seemed to degrade, and like

24 Google Chrome seemed to work better.

25 Q. When did you switch to Chrome? 12:30:35

1 technicalities of that, but I -- I could -- I think  
2 that's reasonable to think.

3 Q. And you can -- sorry. My -- pardon me. My  
4 light is on a motion detector. It thinks I'm not here.

5 Even since this case started, is it -- it's true 12:38:33  
6 that you've continued to use Chrome as your main browser;  
7 is that right?

8 A. Yes.

9 Q. And have you continued to use Incognito mode  
10 since the case started? 12:38:44

11 A. I have.

12 Q. So you've continued to use Incognito mode  
13 despite the fact that you now have the understanding that  
14 Google is receiving personal information when you're  
15 using Incognito mode. 12:39:05

16 Is that true?

17 MR. LEE: Objection to form.

18 THE WITNESS: Yes, that is true. And obviously,  
19 a lot more has come to light about what it is. And so  
20 I'm very skeptical of it now. But I think it was prudent 12:39:20  
21 to not change my behavior and habits so we can get, you  
22 know, a good idea of what's going on.

23 Q. BY MS. JENKINS: Can you explain further why --  
24 why wouldn't you want to change your behavior or habits?

25 A. Because I just got involved in a lawsuit with 12:39:45



1 Google. Yes, I wouldn't want to change my habits when it  
2 pertains to my habits.

3 MS. JENKINS: All right. I'm moving onto a  
4 different topic now. So if people would like to break  
5 for lunch, I'm happy to do it, or we can continue on for 12:40:13  
6 a bit, if you want.

7 MR. LEE: Obviously, I'll defer to Chasom, but  
8 it might help in our decision making if we get a sense of  
9 how close we are to the finish line.

10 If it's going to be a lot more, then I think we 12:40:25  
11 should just take lunch. If you think you can power  
12 through, then we'll talk about it.

13 MS. JENKINS: I don't -- I do not think we'll  
14 power through without taking a lunch. So maybe we take  
15 lunch now and -- do you want to take 30 minutes? Does 12:40:38  
16 that work for you?

17 MR. LEE: Let's take 40 and get back on the  
18 record in 40.

19 MS. JENKINS: All right.

20 THE REPORTER: Off the record. 12:40:55

21 THE VIDEOGRAPHER: We are -- we are off the  
22 record. The time is 12:41 p.m.

23 (Recess.)

24 THE VIDEOGRAPHER: We are back on the record.

25 The time is 1:29 p.m. 13:29:03

1 this out like by -- maybe I'm just confusing myself  
2 because, again, I'm just reading this for the first time,  
3 but...

4 Q. Do you think that the statement that Chrome  
5 won't share existing cookies with sites you visit in 14:10:49  
6 Incognito or guest mode makes a representation that  
7 Google won't be receiving any of your information?

8 A. Yes. I understand it as Google won't be  
9 receiving any of my information.

10 Q. All right. 14:11:07

11 MS. JENKINS: Tracy, can you load the screenshot  
12 of the "You've Gone Incognito" pop-up screen, please.

13 (Exhibit 8, Screenshot of Incognito Mode, was  
14 marked for identification by counsel  
15 electronically.) 14:11:53

16 THE WITNESS: Is this another exhibit?

17 Q. BY MS. JENKINS: Yes. Can you please open  
18 what's now in the folder as Exhibit 8.

19 A. I have Exhibit 8 open.

20 MR. LEE: Give me one moment, guys. Mine's 14:12:21  
21 still loading.

22 And Mr. Brown, you can adjust the -- I think you  
23 need to adjust the zoom on the document so that you can  
24 see it.

25 MS. JENKINS: Okay. Does everybody have this? 14:12:55

1 THE WITNESS: I'm seeing -- oh, okay. I see  
2 what you mean now. Let me find the that. Here we go.  
3 Let me zoom out.

4 Now I got it. Sorry about that.

5 Q. BY MS. JENKINS: All right. And have you 14:13:14  
6 reviewed this Chrome Incognito notice before?

7 A. I think I see it every time I go into Incognito.

8 Q. Do you remember approximately when the first  
9 time is that you would have seen the Incognito notice?

10 A. I don't know if it was the exact same when it 14:13:39  
11 happened, but it looks -- yeah, it seems to have the same  
12 look and feel that it's -- that it's always had since the  
13 beginning, and this is the -- you know, the first screen  
14 you see when you go into Incognito mode.

15 Q. All right. Can you look kind of in the middle 14:13:58  
16 of that -- the pop-up page where it says: "Chrome won't  
17 save the following information." Can you read the  
18 bullets underneath that.

19 A. "Chrome won't save the following information:  
20 Your browsing history, cookies, and site data, 14:14:14  
21 information entered in forms."

22 Q. And can you also read the -- the other side  
23 which says: "Your activity might still be visible to."

24 A. "Your activity might still be visible to:  
25 Websites you visit, your employer or school, your 14:14:30

1 internet service provider."

2 Q. Based on this notice, do you think it's clear

3 that when you're using Incognito mode, your activity

4 could still be visible to your employer?

5 A. That my activity can still be visible to my

14:14:50

6 employer? Yes, I think that's possible.

7 Q. And also that your activity could be visible to

8 your school?

9 A. Yes, it says that.

10 Q. Are you contending with this lawsuit that

14:15:06

11 Incognito mode has acted -- sorry, strike that one

12 second.

13 I'll move on.

14 And is it clear to you from this that your

15 internet activity could still be visible to your internet

14:15:25

16 service provider?

17 A. Yeah. Yes, I see that.

18 Q. And is it clear to you that your activity might

19 be visible to websites that you visit?

20 A. Yes, it says that.

14:15:44

21 Q. Do you understand that the websites that you

22 visit could be sharing your information with other

23 service providers?

24 MR. LEE: Objection to form. Are you asking

25 whether it says that?

14:15:55

1 MS. JENKINS: No.

2 THE WITNESS: So, well, it's like -- it's my  
3 understanding that when I go into Incognito mode, that  
4 Google takes the proper steps to protect and not collect  
5 my data. 14:16:17

6 So, again, and like we've talked about this in  
7 another question before, like some other websites, like I  
8 don't know if Google completely controls them or not. I  
9 don't see how they would, but I do think Google has  
10 complete control over, you know, itself and also all of 14:16:34  
11 its services that it provides.

12 So I think anything related to Google in  
13 Incognito mode is protected, not collected. I think  
14 that's clear by the -- by this screen, by the large words  
15 that you've gone Incognito, by, you know, the invisible 14:16:56  
16 spy man on top. By -- like this is the opening screen.  
17 It's showing you that you are private. Your stuff is not  
18 being collected. You're now safe. Google now is  
19 protecting and not collecting your data and keeping your  
20 browsing private as much as Google has control over it. 14:17:21

21 Q. Do you understand that the websites you visit,  
22 that could include a website like Google.com?

23 A. I understand that I can visit Google.com in  
24 Incognito mode.

25 Q. And do you understand that then, according to 14:17:45

1 THE VIDEOGRAPHER: I can get it for you, yes.

2 MS. JENKINS: At the break is fine. Thank you.

3 Q. All right. Mr. Brown, could you open what's

4 been marked as Exhibit Number 9.

5 MR. LEE: Mr. Brown, it's a short document. Why 14:24:41

6 don't you read the whole thing.

7 THE WITNESS: If you guys don't mind, just give

8 me a moment.

9 Okay. I think I have the gist of it.

10 Q. BY MS. JENKINS: All right. Have you -- have 14:25:28

11 you ever seen this page before?

12 A. I -- I don't recall. I don't have a specific

13 memory of it.

14 Q. Could you take a look at page 1. In the middle

15 of the page, it says: "Your activity might still be 14:25:48

16 visible."

17 MR. LEE: Do I have a standing objection to this

18 exhibit based on lack of foundation?

19 MS. JENKINS: Yes.

20 Q. And could you read what it says under: "Your 14:26:05

21 activity might still be visible."

22 A. "Incognito mode stops Chrome from saving your

23 browsing activity to your local history. Your activity,

24 like your location, might still be visible to: Websites

25 you visit, including the ads and resources used on those 14:26:25

1 sites; websites you sign in to; your employer, school, or  
2 whoever runs the net you're using; your internet service  
3 provider; search engines: Search engines may show search  
4 suggestions based on your location or activity in your  
5 current Incognito browsing session. When you search on 14:26:45  
6 Google, Google will always estimate the general area that  
7 you're searching from. Learn more about location when  
8 you search on Google."

9 Q. If you had read this -- this page previously,  
10 you'd understand that in Incognito mode, your browsing 14:27:07  
11 and activity data could still be visible to the websites  
12 you visit as well as their service providers; is that  
13 right?

14 MR. LEE: Objection to form.

15 THE WITNESS: I -- I would read this as certain 14:27:20  
16 information outside the purview of Google, Google cannot  
17 completely control, and they -- they may get information.

18 Q. BY MS. JENKINS: If you look at the first bullet  
19 in this section that says "websites you visit, including  
20 the ads and resources used on those sites," what is your 14:27:44  
21 understanding of the meaning of the ads and resources  
22 used on those sites?

23 A. Well, I don't know what ads and resources on --  
24 on websites usually use. Fortunately, if I am in  
25 Incognito mode, Google has a lot of ads on web pages, and 14:28:07

1 so I would be protected if those ads and resources had  
2 anything to do with Google, but they may not have to do  
3 with Google. Again, I don't know like any given website.

4 Q. But from the description here, it doesn't say  
5 that the ads and resources that are used on that site are 14:28:33  
6 not affiliated with Google, does it?

7 A. It doesn't say it right here, but it doesn't  
8 have to because Google has already made the Google  
9 promise in their privacy policy. Google has said that,  
10 hey, with Google and our services, you're private, you're 14:28:58  
11 protected.

12 So in this case, I would hope it's a Google ad  
13 or resource because then Google should be protecting me  
14 per what they're telling me. So -- so they don't need to  
15 say that. 14:29:18

16 Sorry if I interrupted you.

17 Q. No, it's all right.

18 Protecting you from -- from what?

19 A. They're protecting my privacy.

20 MS. JENKINS: Okay. All right. James, do you 14:29:33  
21 want to take a quick break now? That would be all right.

22 MR. LEE: Great. Thanks. Back in ten?

23 MS. JENKINS: Sure.

24 THE VIDEOGRAPHER: We are off the record. The  
25 time is 2:30 p.m. 14:29:43



1 (Recess.)

2 THE VIDEOGRAPHER: We are back on the record.

3 The time is 2:40 p.m.

4 MS. JENKINS: All right. Tracy, could you

5 please load the next exhibit, the Search and Browse 14:40:10

6 Privately page.

7 (Exhibit 10, Search and Browse Privately, Google

8 Search Help, was marked for identification by

9 counsel electronically.)

10 MR. LEE: Is that 10, Sara? 14:40:35

11 MS. JENKINS: Yes.

12 Q. And Mr. Brown, could you open Exhibit 10 when

13 you see it in your folder.

14 A. Uh-huh. I have it open.

15 Q. Okay. Have you ever reviewed this page before? 14:40:46

16 Feel free to read it before responding.

17 A. Yeah. Not specifically, no.

18 Q. Can you take a look at the second sentence and

19 read that sentence aloud.

20 MR. LEE: Sara, do I have a standing objection 14:41:17

21 for this -- all questions related to this document based

22 on lack of foundation?

23 MS. JENKINS: Sure.

24 MR. LEE: Thanks.

25 THE WITNESS: "If you want to search the web 14:41:26

1 without saving your search activity in your account, you  
2 can use private browsing mode in a browser like Chrome or  
3 Safari."

4 Q. BY MS. JENKINS: Sorry. I meant the -- the  
5 second sentence of the first paragraph. And before you 14:41:42  
6 start -- never mind. You can -- you can start. Just  
7 please read the first paragraph, actually. That would be  
8 fine.

9 A. Okay. Sorry.

10 "You're in control of what information you share 14:41:54  
11 with Google when you search. To browse the web  
12 privately, you can use private browsing. Sign out of  
13 your account, change your custom results settings, or  
14 delete past activity."

15 Q. Do you consider yourself to be browsing the web 14:42:16  
16 privately if any data collected from your browsing  
17 activity is not linked to your Google account?

18 A. I consider myself to be browsing privately from  
19 Google if I'm in Incognito mode.

20 Q. I understand that, but since there's a dispute 14:42:45  
21 about Incognito mode and what it does, I'm wondering  
22 what -- what browsing privately means to you apart from  
23 Incognito mode.

24 A. Oh. Just I guess you're asking what just  
25 "privately" means. It means in private, without anybody 14:43:03

1 mode. Well, then, I'll go there.

2 And then the other stuff, okay, like I  
3 understand that certain things are going to be tracked  
4 per our contract.

5 Q. BY MS. JENKINS: Do you have an understanding of 14:52:03  
6 what Sync is within Google?

7 A. I understand like syncing, you know, devices and  
8 things like that, but if that's a particular like the  
9 name of something, then no.

10 Q. Are you aware of if, in your Google account, you 14:52:22  
11 have Sync on or off or Sync enabled, I should say?

12 MR. LEE: Objection to form. Lack of  
13 foundation. He just told you he doesn't know what Sync  
14 is.

15 THE WITNESS: I'm not aware. 14:52:35

16 Q. BY MS. JENKINS: Can you take a look at this  
17 page, at Exhibit 10, and see, other than what we just  
18 discussed, if you see anything here that you understand  
19 to represent from Google that Google would not collect  
20 user data in private browsing mode? 14:52:55

21 A. "You're in control" -- the first sentence.  
22 "You're in control of what information you share with  
23 Google when you search." Like they're telling me from  
24 the first sentence, you're in control. And so -- so when  
25 I read that, I think, well, how am I in control? Oh, 14:53:25

1       yeah, in the privacy policy, they told me exactly how I'm  
2       in control. And then when I went in Incognito mode, on  
3       this splash screen, they showed me again.

4               So I think -- I think the first sentence says  
5       it. 14:53:43

6               Q. Okay. Any -- any other language on here that  
7       you want to point out?

8               A. "To browse the web privately, you can use  
9       private browsing," which is Incognito mode. So I think  
10      that tells me as well. 14:54:02

11              Q. Anything else?

12              A. Nothing's standing out. I think -- yeah,  
13      nothing's standing out.

14              Q. All right. Can you take a look under the  
15      section that says "How private browsing works." Down at 14:54:24  
16      the bottom of that section where it says "Important,"  
17      could you read that part.

18              A. "If you sign in to your Google account to use  
19      the web service like Gmail, your searches and browsing  
20      activity might be saved to your account." 14:54:45

21              Q. Do you understand that logging into Gmail signs  
22      you into your Google account?

23              A. Logging into Gmail, yes, I understand that that  
24      would sign me into my Google account.

25              Q. And do you understand that when you sign into 14:55:03

1 from you.

2 Could you take a look and see if you recognize  
3 this document.

4 A. Yeah, this document looks familiar.

5 Q. And could you take a look at -- well, at the 15:01:03  
6 Response to Interrogatory Number 3, which looks like  
7 it's -- starts on page 4.

8 MR. LEE: I think you should read the whole  
9 Interrogatory Number 3, meaning Interrogatory Number 3  
10 and then your response to Interrogatory Number 3, 15:01:28  
11 Mr. Brown, just so you have context.

12 THE WITNESS: Okay. Give me a moment to read  
13 it, if you guys don't mind.

14 Okay. I'm reacquainted with it.

15 Q. BY MS. JENKINS: As you sit here today, does 15:03:08  
16 this -- does the Response to Interrogatory Number 3  
17 appear accurate to you?

18 A. Yeah, it appears accurate.

19 Q. And if you look in the last sentence of this, it  
20 says: "Plaintiff Brown is familiar with other web 15:03:25  
21 browsers, such as Brave, among others, which pay users a  
22 fee for their browsing."

23 Are you familiar with Brave?

24 A. I'm familiar there are web browsers, and I'm  
25 familiar Brave is one of them. 15:03:42

1 Q. And have you ever used Brave for web browsing?

2 A. No, I don't -- I don't believe I have. I don't  
3 recall.

4 Q. Are you aware of their practice of paying users  
5 for browsing? 15:04:04

6 A. Yes.

7 Q. And what do you know about that?

8 A. It's my understanding that as you browse  
9 normally and they're collecting data, and that data is  
10 valuable, and they've monetized it, and then pay you out. 15:04:18

11 Q. And do you know how much they pay for data?

12 A. No, I don't know offhand how much they pay for  
13 data. It probably depends on the type of data. I'm sure  
14 some data's more valuable than other data.

15 Q. What data do you think to be more valuable than 15:04:45  
16 other data?

17 A. Private data. Data that people don't want you  
18 to know about themselves. Data that's harder to get  
19 because I think that would be more valuable.

20 Q. And why would that be more valuable? 15:05:02

21 A. Because it's not as easily gotten.

22 Q. When did you first become aware of Brave?

23 A. I've heard about that in other search engines or  
24 websites that do that. I think they've been around for a  
25 while. I don't know exactly how long, but I think 15:05:27

1 they've been around for a while.

2 Q. Do you believe you heard of it --

3 A. At least a couple years.

4 Q. Sorry, I missed that.

5 A. At least a couple years.

15:05:38

6 Sorry, I keep doing the pauses, and that goofs

7 you up. So that's always my fault, by the way.

8 Q. Do you believe you knew of Brave before becoming

9 involved in this litigation?

10 A. Yes.

15:05:55

11 Q. Have you ever tried to sell any personal

12 information at issue in this lawsuit?

13 A. Well, I've sold some of my information before,

14 like I've taken surveys, as an example, and have given

15 out information about myself and gotten paid for that.

15:06:14

16 Q. How much do you think that your personal

17 information is worth?

18 MR. LEE: To Google or to him?

19 Q. BY MS. JENKINS: To you, Mr. Brown.

20 A. Well, my personal information to myself is -- is

15:06:41

21 worth a lot, like -- and it depends on like information

22 is a very broad -- you know, that is a lot of different

23 things. But like how valuable is my Social Security

24 number? Like it's very valuable to me. It's actually

25 probably valuable to other people. I know people go

15:07:03

1 online trying to buy people's, you know, identifications  
2 and things like that.

3 So that's probably not a great example, but,  
4 yeah, it's very valuable to me.

5 Q. What about like your browsing history; how 15:07:17  
6 valuable do you think that is?

7 A. It's probably extremely valuable if you couple  
8 that with, you know, other people like me, that probably  
9 gets -- adds in value even more exponentially.

10 Anybody -- it's valuable to anybody trying to sell me 15:07:46  
11 anything or market to me.

12 Q. Do you have -- sorry. Go ahead.

13 A. So I think it's valuable. Sorry. I'll try to  
14 stop doing that. I'm horrible. It's my first  
15 deposition. Give me a break, Sara. 15:08:05

16 Q. No worries. I should be learning to take an  
17 extra pause.

18 Do you have any number in mind of the value to  
19 you of, for instance, your browsing history?

20 MR. LEE: Asked and answered. 15:08:21

21 THE WITNESS: Of just my browsing history to me?

22 No, I would really have to see what, you know, an expert  
23 like Google, for example, values that at to start to see  
24 like what just -- that would just be one, you know, piece  
25 of my information. So I would need some context of what 15:08:45



1 information like that goes on for the open market. I'd

2 like to think mine might be worth a little bit more.

3 Q. BY MS. JENKINS: If user data is anonymous, and  
4 I will tell you what I mean by that. By "anonymous," I  
5 mean it is not connected to any person or device or 15:09:09  
6 account, do you think that that would make that data less  
7 valuable than data that can be connected to a specific  
8 person?

9 MR. LEE: Objection to form to the extent it  
10 calls for speculation. 15:09:28

11 THE WITNESS: Yeah, I guess -- I guess how it's  
12 used, like the context of how it's used would be -- would  
13 be relevant. Like I wouldn't say it's less or more. I  
14 would say that that data is the data. Because I -- I  
15 think anybody trying to, you know, collect data on me 15:09:45  
16 doesn't really care what my user name is.

17 And so I think they care more about, you know,  
18 all my personal things. My preferences, my habits, what  
19 I -- what I purchase, what sites I go to, you know, the  
20 frequency I go to them, where I click on the screen. 15:10:05

21 Like the rabbit hole probably goes very, very  
22 deep as far as what my behavior is. And I think  
23 that's -- that's what people, when they're collecting  
24 data, that they want. They don't really care that my  
25 name is "Chasomrocks" on my Gmail. They care about all 15:10:23

1 don't.

2 Q. BY MS. JENKINS: Have you lost any personal  
3 information that you once had as a result of Google's  
4 conduct?

5 A. I don't believe I've lost any information. 15:21:13

6 Q. Sitting here today, can you tell me all the ways  
7 that you've been harmed by Google as it relates to this  
8 lawsuit?

9 A. I can't tell you all the ways because I don't  
10 know everything that they're doing with all my 15:21:33  
11 information that they took without my knowledge, but --  
12 so I cannot tell you all the ways, but I can tell you,  
13 you know, some ways that I have been harmed. I assume  
14 that's what you're asking, but...

15 Q. Please go ahead and describe the ways that -- of 15:21:54  
16 which you are aware.

17 A. Well, just from the basics is like this mode,  
18 from my understanding, now uses a layer that uses more  
19 energy from your phone, which essentially is more  
20 electricity. So now my phone has more wear and tear on 15:22:18  
21 it, and eventually I'll have to get a new phone sooner.  
22 I'll have to charge my phone more often.

23 In addition to that, it's -- it's sending out  
24 data when it's not supposed to be sending out data. So  
25 then that affects my plan, whatever plan I have, if 15:22:37

1 I'm -- if I'm paying for data, then I will run out and  
2 have to pay for more. If I am on an unlimited plan,  
3 which I am, it actually will throttle my plan. So now  
4 my -- my data plan on my phone will run out of data  
5 sooner. And so then now all my data is going to take 15:22:59  
6 longer. And so now everything I'm trying to do on my  
7 phone takes longer, and my time is very valuable.

8 So when like just in -- in browsing alone, you  
9 could start adding up that time and -- and that's even  
10 more. So those are just some -- off the top of my head, 15:23:16  
11 some ways that I was damaged.

12 Q. I want to make sure I understand what you're  
13 saying.

14 Are you saying that your phone uses more energy  
15 to -- when it uses Incognito mode rather than basic mode? 15:23:34

16 A. Yes, that's my understanding. And just by  
17 sending out data when it's not supposed to. So that does  
18 take, you know, energy as well.

19 Q. How did you come to that understanding?

20 A. Well, I've been in the cell phone industry for 15:23:52  
21 20 years.

22 Q. Have you done any personal experiments to see  
23 whether that is the case?

24 A. No. I'll leave that up to the experts. I  
25 haven't done any personal experiments. 15:24:09

1 Q. Do you have any evidence to support that belief?

2 MR. LEE: You know what? I'm going to direct

3 you not to answer that question as it may reveal

4 attorney-client communications.

5 THE WITNESS: I won't be answering the question. 15:24:28

6 MS. JENKINS: That's fine. I'm -- I'm -- I'm

7 just -- I'm -- all right, James, is it your

8 representation that there's no information that he could

9 give on that question that would not be privileged?

10 MR. LEE: I think he's given you a ton of 15:24:43

11 information already. So to the extent you're asking for

12 more, I think that's where you're now getting into

13 privilege territory.

14 Q. BY MS. JENKINS: Do you have any evidence, not

15 related to your involvement in this litigation, that 15:24:58

16 using Incognito mode takes more energy on your phone

17 rather than basic mode?

18 A. Well, sending out more data just in general

19 takes more energy from a phone, as -- as much as I

20 understand phones and data. 15:25:25

21 Q. Have you seen any effect on the amount of data

22 that you're using on your cell phone plan that you can

23 directly relate to your use of Incognito mode?

24 A. Nothing that I could point to right now. I

25 haven't done the -- the calculation. 15:25:48

1 Q. Is there any other -- other than the additional  
2 energy that you mentioned and potentially an effect on  
3 your cell phone plan, is there any other harm that you  
4 have suffered as a result of Google's conduct?

5 A. Yes. When you have your -- your privacy 15:26:22  
6 breached, I consider that harm. And/or when you sign,  
7 you know, a contract and the other party doesn't live up  
8 to their side of the contract, I consider that harm.

9 Q. What type of harm is that?

10 MR. LEE: Objection to the extent it calls for a 15:26:50  
11 legal conclusion.

12 THE WITNESS: Well, I believe in the -- in the  
13 Amended Complaint, I think one of the complaints is a  
14 breach of contract. So that's where we point out the  
15 harm. 15:27:14

16 Q. BY MS. JENKINS: All right. Is there any -- any  
17 harm in addition to the ones that you've just named?

18 A. Well, that's the biggest thing. I think  
19 probably a lot of what I named isn't the biggest thing.  
20 It's all of my data that has been collected that is being 15:27:31  
21 used to -- without my knowledge, without my consent, with  
22 not even knowing what it is and what's being done with  
23 it, how it's being monetized, like that -- there's a  
24 whole, you know, unknown harm out there as well.

25 Q. Have you lost any property as a result of 15:27:59

1 A. Yeah.

2 Q. What is your opinion about targeted advertising?

3 MR. LEE: In normal mode?

4 MS. JENKINS: We can say in normal mode. I was  
5 looking for a general opinion about targeted advertising. 15:29:54

6 THE WITNESS: I'll do you one better. I'll do  
7 all three: General, normal mode, and Incognito.

8 Well, yeah, just in general, I think targeted  
9 advertising is a good thing. And normal browsing mode, I  
10 think that, again, it's I've given consent. We have a 15:30:18  
11 deal. I get the deal. Thank you for showing me, you  
12 know, a -- the surfboard I like.

13 And then when I'm in -- when I'm not in  
14 Incognito mode -- or I'm sorry, when I am in Incognito  
15 mode, I don't think that that's appropriate because you 15:30:37  
16 shouldn't be collecting anything about me. I'm supposed  
17 to be hidden. I'm supposed to be incognito. I'm  
18 supposed to be an invisible spy guy. That's why I click  
19 on the button.

20 And so I think anything along those lines is 15:30:57  
21 inappropriate at minimum and, you know, a breach in our  
22 deal otherwise.

23 Q. BY MS. JENKINS: Sometimes Chrome will suggest  
24 searches for you when you start typing into the search  
25 bar. Are you familiar with that? 15:31:16

1           A. They do have a free version. Like in some  
2 cases, I do pay for an upgraded version or something like  
3 that, but yes, in general.

4           Q. Would you be willing to pay money for a version  
5 of Chrome that blocked ads? 15:35:57

6           A. That blocked ads? No, not necessarily. Because  
7 like it's not that I'm anti ads. I actually like ads.  
8 Well, as much as anybody can like an ad, I like an ad.  
9 But if I'm going to have to look at an ad, like, hey,  
10 show me something that I might like. Great. That's a 15:36:21  
11 good deal. I'm glad that it's curated to me, an ad.

12           The problem lies is when you're getting that  
13 information through Incognito mode when it's not supposed  
14 to -- I'm not supposed to be giving you that data.

15           And that's -- so I'm not anti ad. I'm anti 15:36:40  
16 collecting information without my consent, without my  
17 control.

18           MS. JENKINS: Okay. Tracy, could you upload the  
19 next exhibit, the Rogs 1 to 6, the November 20th, 2020  
20 set. 15:37:07

21           MR. LEE: How long have we been on the record?  
22 Not total, but since the last break?

23           THE VIDEOGRAPHER: 57 minutes.

24           MR. LEE: All right. If you're going to move on  
25 to a new document, do you mind if we take the break now 15:37:18

1 Q. BY MS. JENKINS: All right. Could you take a  
2 look down at Interrogatory Number 10 and read through  
3 that Interrogatory and your responses.

4 Oh. Never mind. You can go ahead and do that.

5 MR. LEE: We are reading 10? 16:22:53

6 MS. JENKINS: Yes. Thank you.

7 MR. LEE: Okay.

8 THE WITNESS: Okay. I'm familiar.

9 Q. BY MS. JENKINS: All right. Does this response  
10 appear accurate to you as we sit here today? 16:24:10

11 A. Let me read a little more just to be sure. It's  
12 a little longer, but yeah, so far, it's been accurate, to  
13 answer your question.

14 Q. All right. Can you tell me why you have not  
15 attempted to sell your personal data? 16:24:30

16 MR. LEE: Objection to form, asked and answered.

17 THE WITNESS: Why I haven't attempted -- oh, I  
18 have sold my personal data before. And I said I have  
19 taken surveys and gotten paid for them, and that was, you  
20 know, the personal data on myself. 16:24:55

21 So why I haven't taken it further? I'm a busy  
22 dude. That's just difficult to track all that -- track  
23 all that down.

24 Q. BY MS. JENKINS: All right. So specifically, I  
25 meant personal data as at issue in this litigation. 16:25:13



1 Would your answer be the same to that question?

2 A. Well, I -- my answer would be I like the deal

3 that I have. I understand that Google is collecting my

4 data, and clearly, as we went through those last

5 documents, I use a lot of different Google products. So 16:25:37

6 I am in the Google ecosystem. I'm a Google user. I'm a

7 Google customer. So like I understand that they're

8 giving me some free services for that, and I like that

9 deal.

10 The side of the deal that I don't like is the 16:25:54

11 Incognito mode side of the deal. Because that's supposed

12 to be my out, meaning, hey, I'm not giving you data right

13 now, and you agree, we agree. And then unfortunately, it

14 seems Google has been collecting my data under those

15 circumstances. 16:26:18

16 Q. Can you take a look back at Interrogatory

17 Number 8 and your response to that Interrogatory.

18 A. 10, 9, 8. Excuse me.

19 Okay. I'm familiar. You can ask your

20 questions. 16:26:58

21 Q. Okay. And you see that this Interrogatory says:

22 "Describe with particularity each category of 'personal

23 and sensitive user data' that you contend Google

24 unlawfully 'intercepted.'" Correct?

25 A. I see that, yes. 16:27:12

1 Q. And you would specifically say these six items  
2 of information are personal and sensitive user data; is  
3 that correct?

4 MR. LEE: Asked and answered.

5 THE WITNESS: Yes. 16:33:24

6 MS. JENKINS: All right. Tracy, can you load  
7 the next exhibit, which is the September 20th Responses  
8 and Objections to Interrogatory 16.

9 (Exhibit 19, Plaintiff Chasom Brown's Verified  
10 Objections and Responses to Defendant's Fifth 16:33:38  
11 Set of Interrogatories (No. 16), was marked for  
12 identification by counsel electronically.)

13 THE WITNESS: Uh-oh. Now I'm getting lost on  
14 exhibits. Was that 18?

15 Q. BY MS. JENKINS: The -- the next one should be 16:34:02  
16 19.

17 A. Okay.

18 MR. LEE: It just loaded for me right now,  
19 Chasom.

20 THE WITNESS: Got it. I've got it right now. 16:34:11

21 Q. BY MS. JENKINS: Can you please take a look at  
22 Interrogatory Number 16 and the response.

23 A. Okay. I'm familiar with it. If there's a  
24 certain section, we can go over it.

25 Q. Does this response look accurate to you? 16:35:21

1 A. Yes.

2 Q. And are you familiar with the different projects  
3 that are listed here?

4 MR. LEE: Objection to form. Can you be more  
5 specific? 16:35:37

6 Q. BY MS. JENKINS: Yeah. Are you familiar with  
7 Ipsos Screenwise Panel?

8 A. Let me find the content. One moment.

9 Q. It's in the third paragraph of the response.

10 A. Yeah. 16:36:16

11 Okay, yeah. I understand. I recall.

12 Q. Are you familiar with the Ipsos Screenwise  
13 Panel?

14 A. It's the consumer research study; correct?

15 Q. Yes. 16:36:36

16 Is that all of your understanding about what it  
17 is?

18 A. Yeah. Outside of what I have on here, this is  
19 my full understanding of it. I didn't do a lot of

20 research into it, but I understand what it is. 16:36:52

21 Q. And what about Google's Opinion Rewards surveys;  
22 are you familiar with that?

23 A. I am.

24 Q. Have you ever signed up for that?

25 A. I have signed up for studies. I don't -- I 16:37:10

1 don't recall if it was a Google one or not.

2 Q. And what about Nielson Computer & Mobile Panel;

3 are you familiar with that? It's in the next paragraph.

4 A. Let me pull that up.

5 Q. Have you signed up for Neilson Computer & Mobile 16:37:50

6 Panel?

7 A. No, I have not.

8 Q. It says here that it pays up to \$50 a year for

9 passive data collection of a user's internet behavior.

10 Would you sell your internet use data for \$50 a 16:38:04

11 year?

12 A. My data is worth way more than that.

13 Q. Is there a number you have in mind of what your

14 user data would be worth?

15 A. I'm willing to work with Google to go over all 16:38:23

16 the data that they have and put the value that they put

17 on it to see if that's in -- in range. I think it's

18 certainly more than \$50 a year. But I think they're

19 probably the experts on it, and they have some idea of

20 what data is worth. 16:38:48

21 Essentially, I defer to the experts on how much

22 data is worth. My data is definitely worth more than \$50

23 a year, though.

24 Q. Is there a number at which you would agree to

25 sell your user data? 16:39:06

1 A. There is a number. What it is, I don't -- I  
2 don't know. But everybody's got a price. So I'll sell  
3 you this shirt if -- like -- no, it's a -- it's a vague  
4 question. Yes, there's a number for my data. What it  
5 is, I don't know. 16:39:27

6 Q. Would you say -- I mean, would it be more than a  
7 hundred dollars a year?

8 MR. LEE: Objection. Vague as to what the word  
9 "it."

10 Q. BY MS. JENKINS: Would you sell your data -- 16:39:42  
11 would the number that you would sell your data for be  
12 more than a hundred dollars a year?

13 A. I -- I think -- because I don't want to go into  
14 this so we'll keep upping it and upping it. I think that  
15 I would need to know a lot more information about data 16:39:59  
16 before I could really give a good answer as to how much  
17 it -- my particular data or data is worth. My limited  
18 understanding is data is pretty valuable.

19 Q. All right. But sitting here today, there's not  
20 a number that -- that you would accept for the use or 16:40:19  
21 collection of your data?

22 MR. MCGEE: I'm really sorry. I -- Sara, I  
23 would not do this unless it is necessary, but James is  
24 frozen again. So I'm very sorry to do this. I know he's  
25 taking the deposition, but he just texted me to let me 16:40:41

1 know.

2 MS. JENKINS: All right. Well, let's -- let's  
3 go off the record until James can get back on, please.

4 THE VIDEOGRAPHER: We are off the record. The  
5 time is 4:41 p.m. 16:40:55

6 (Recess.)

7 THE VIDEOGRAPHER: We are back on the record.  
8 The time is 4:55 p.m.

9 Q. BY MS. JENKINS: All right. Before -- before we  
10 broke due a technical issue, Mr. Brown, I had just asked 16:55:15  
11 the question: Sitting here today, there's not a number  
12 that you would accept for the use or collection of your  
13 data; is that correct?

14 A. There is a number I would accept. I don't know  
15 what that number is. I'd have to do some analysis to put 16:55:32  
16 a number on it. But would I -- would I accept a number  
17 for my data that I'm comfortable, the data that I'm  
18 comfortable giving with? Yeah, absolutely.

19 Q. And what would you say -- when you say the data  
20 you're comfortable giving, what data is that? 16:55:55

21 A. Data that would be in normal, you know, Chrome  
22 browsing mode.

23 Q. And what about data from Incognito mode; is  
24 there a number that you would accept for that?

25 A. There is a higher number I would accept for 16:56:15

1 that.

2 Q. And sitting here today, is it true that you  
3 can't provide a number?

4 A. I don't know. Same thing. I would need to  
5 really look into that. But like my private information, 16:56:29  
6 my private data, yeah, it definitely -- it seems more  
7 valuable. Because I don't want to give it; right? But  
8 if you keep upping the price, then maybe at some point,  
9 okay, I'll tell you what my weird fetish is. So it's  
10 like kind of how it would work. 16:56:55

11 Q. Right. That won't be necessary today, but...

12 A. Oh, that's not the next question?

13 Q. No.

14 A. Okay.

15 MS. JENKINS: Tracy, can you upload the Amended 16:57:06  
16 Responses and Objections to the Second Set of Requests  
17 For Admissions, please.

18 (Exhibit 20, Plaintiff Chasom Brown's Amended  
19 Objections and Responses to Defendant's Second  
20 Set of Requests For Admission, was marked for 16:57:14  
21 identification by counsel electronically.)

22 Q. BY MS. JENKINS: All right. So Mr. Brown, you  
23 should now have Exhibit 20 in your folder.

24 Do you see that?

25 A. I'm pulling it up. 16:57:43

1 answer.

2 Why don't we hear the question again so that we  
3 can all get on the same page.

4 Q. BY MS. JENKINS: Okay. Do you recall providing  
5 Google with cookie values from your browser as part of  
6 this litigation?

17:03:39

7 MR. LEE: You can answer that limited question.

8 THE WITNESS: Yes.

9 Q. BY MS. JENKINS: Did you collect those cookies  
10 yourself?

17:03:55

11 MR. LEE: To the extent that your answer would  
12 be based on communications you had with your counsel, I  
13 would advise you not to answer.

14 THE WITNESS: Based on that, yes, I'm --

15 MS. JENKINS: James, can he -- is there some  
16 reason he couldn't answer "yes" or "no" as to whether he  
17 collected the cookies himself?

17:04:16

18 MR. LEE: I'm not ignoring you. I'm just  
19 thinking about it. That's okay. He can just answer  
20 "yes" or "no."

17:04:30

21 MS. JENKINS: I'll repeat it.

22 Q. Did you collect those cookies yourself?

23 A. Yes.

24 Q. Can you tell me from what devices you collected  
25 those cookies?

17:04:46



1 MR. LEE: You can answer that limited question.

2 THE WITNESS: From my laptop and my phone. I

3 know those two for sure. I just don't -- I think my --

4 my tablet as well.

5 Q. BY MS. JENKINS: And what browser were you using 17:05:12

6 when you collected those cookies?

7 A. I believe I was in Chrome. I don't -- don't

8 remember. I don't -- I can't imagine I used anything

9 else, but I don't really remember which browser I went

10 to. I'm sure it was in Chrome. 17:05:36

11 Q. Were you browsing in Incognito mode when you

12 collected those cookies?

13 A. I don't -- I don't recall. I think there was a

14 series of things I needed to do. So I was just more

15 focused on doing those series of things. And so I 17:05:56

16 don't -- I don't really remember the process of which way

17 I did it or not.

18 MR. LEE: Let's leave it at I don't recall. I

19 don't want you to get into privileged things. Okay?

20 THE WITNESS: Got it. 17:06:14

21 MR. LEE: Okay.

22 Q. BY MS. JENKINS: Were you logged in when you

23 collected those cookies?

24 MR. LEE: Objection. Vague.

25 THE WITNESS: Yeah. I don't recall. 17:06:22

1 Q. Okay. You were asked some questions about  
2 whether you believe there is a contract between you and  
3 Google.

4 Do you remember those questions?

5 A. Yes. 17:12:01

6 Q. Can you describe for us in your words what  
7 Google's promise was to you in that agreement as it  
8 relates to Incognito mode?

9 MS. JENKINS: Objection. Assumes facts.

10 MR. LEE: You can answer. 17:12:20

11 THE WITNESS: So in that contract, at Google's,  
12 you know, promise to me is that they would put me in  
13 control and that I would give them consent as to when  
14 they can collect my data and when they cannot collect my  
15 data. 17:12:40

16 So that was the deal as -- as pertains to  
17 Incognito mode.

18 MR. LEE: Okay. And maybe Tracy can help me  
19 here because I switched computers. Tracy, do you mind  
20 getting Exhibit 7 on the share screen? 17:13:02

21 MS. GAO: Okay. I will try.

22 MR. LEE: Thank you so much.

23 MS. GAO: It actually says host is able --  
24 parties can screen sharing.

25 THE VIDEOGRAPHER: I'm on it. 17:13:27

1 MR. LEE: Thank you.

2 THE VIDEOGRAPHER: There you go. It's been --

3 it's been enabled.

4 Q. BY MR. LEE: All right. This has been

5 previously marked Exhibit 7.

17:13:47

6 Mr. Brown, do you remember Google's lawyer

7 asking you some questions about this document?

8 A. Yes.

9 Q. Okay. I just want to go over a couple things

10 real fast.

17:14:01

11 Do you see in that first sentence it states:

12 "Learn how to control the information that's collected,

13 stored, and shared when you use the Google com browser on

14 your computer or mobile device."

15 Do you see that?

17:14:16

16 A. Yes.

17 Q. Okay. And do you also see that the -- the last

18 phrase of that same paragraph says that the -- the use of

19 your personal information will be protected in accordance

20 with the Google privacy policy?

17:14:36

21 MS. JENKINS: Objection. Leading and narrative.

22 Q. BY MR. LEE: Do you see that?

23 A. I do see it.

24 Q. Okay. And can you tell us for the 50th time

25 today what is in the Google privacy policy with respect

17:14:50

1 to the collection of your data in Incognito mode?

2 A. On -- on the first page in the -- within the  
3 first paragraph, they say it puts you in control. It  
4 says you can use our services in a variety of ways to  
5 manage your privacy. 17:15:16

6 And then it also says you can also choose to  
7 browse the web privately using Chrome in Incognito mode.

8 MR. LEE: Okay. Tracy, could you go to page 8  
9 of this document, please.

10 I think that's -- it's actually I think the page 17:15:41  
11 before. I'm sorry. It's 8 of 14 on the bottom there.  
12 Okay.

13 Q. Do you see that under Incognito mode and guest  
14 mode, it says: "You can limit the information Chrome  
15 stores on your system by using Incognito mode"? 17:16:02

16 A. Yes.

17 Q. And the following sentence says: "Chrome won't  
18 store certain information such as your browsing history"?

19 A. Yes.

20 Q. "Caching page text, or IP addresses of pages 17:16:14  
21 linked from the websites you visit."

22 Do you see that?

23 A. Yes, I do.

24 MS. JENKINS: Objection. Leading and narrative.

25 MR. LEE: I'm just asking if he sees it. 17:16:25

1 Q. Okay. Now we looked at three different  
2 statements in Exhibit 7 in this document about the Chrome  
3 privacy notice; right?

4 A. Correct.

5 Q. Okay. If you take those three statements 17:16:40  
6 together, what does this communicate with respect to  
7 whether Google collects or doesn't collect user  
8 information in Incognito mode?

9 MS. JENKINS: Objection. Vague.

10 THE WITNESS: It clearly shows that they don't 17:16:57  
11 collect in Incognito mode.

12 Q. BY MR. LEE: And now that we've initiated this  
13 lawsuit, do you think that those statements are correct?

14 A. Unfortunately, no. Unfortunately, that's --  
15 which has, you know, come more to light that Incognito 17:17:22  
16 mode, that it's not as advertised, not as in their  
17 privacy policy, not as per the agreement that we have.

18 And it really -- it really is unfortunate  
19 because I am a Google user. I am a Google fan, and I  
20 think that the -- I can't use the service. 17:17:48

21 And the fact that it does this is wrong on so  
22 many levels. So I don't think that -- I think that it --  
23 I've been duped, sad to say. But people can correct  
24 their mistakes.

25 Q. Now you were asked how you were harmed as a 17:18:12

1 result of Google's conduct.

2 Do you recall those questions asked to you by  
3 Google's lawyer?

4 A. Yes.

5 Q. In addition to your testimony today, to describe 17:18:23  
6 the ways you were harmed, would you also refer to the  
7 Complaint and the Interrogatory Responses and documents  
8 uncovered throughout this case?

9 MS. JENKINS: Objection. Vague.

10 THE WITNESS: Yes. I thought they were already 17:18:43  
11 included, but yes, I would.

12 Q. BY MR. LEE: You testified earlier today that  
13 you have a Gmail account called chasomrocks; is that  
14 right?

15 A. That's correct. 17:19:00

16 MR. LEE: I could not agree more, sir. Thank  
17 you for your time. I have no further questions.

18 MS. JENKINS: I'm sorry, my lights went off. I  
19 think I might have one more question, but...

20 17:19:13

21 FURTHER EXAMINATION

22 BY MS. JENKINS:

23 Q. Mr. Lee just asked if your understanding with  
24 respect to whether Incognito collects your information  
25 has changed, and I believe that you responded that it 17:19:26

Page 201